

Anticipatory Search Warrant

In the Matter of: Chandler David ANDERSON
1536 Eastbourne Drive
Wilmington, North Carolina 28411

Date issued: 7/27/20 Time issued: 6:37 | 1 AM | X PM

Name of Applicant: **DETECTIVE Nicholas Brothers**

To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:

I, the undersigned, find that there is probable cause to believe that the property and person described in the application and related to the commission of a crime is located as described in the application.

You are commanded to search the premises, vehicle, person, and other items described in the application and related to the commission of a crime is located as described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.

You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this warrant and make due return the Clerk of the issuing Court.

This Search Warrant is issued upon information furnished under oath by the person or persons shown.

Signature: W. Whiffel Date: 7/27/20
☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: Det. N. Brothers

Application for Anticipatory Search Warrant

Your Affiant swears and deposes:

I, Detective N. Brothers, with the New Hanover County Sheriff's Office assigned to the County Vice and Narcotics Unit, being duly sworn, request that the court issue a warrant to search the person, place, vehicle, and other items described in this application and to find and seize the property and person described in this application. Your Affiant alleges that there is probable cause to believe that concealed within the premises described herein above, attached hereto and incorporated by reference are the following:

- (1) Books, records, receipts, notes, ledgers, bank records, money orders, and other papers relating to the transportation, ordering, purchase, sale and distribution of illicit controlled substances, in particular, **Marijuana**, a Schedule **VI** Controlled Substance included in the North Carolina Controlled Substance Act.
- (2) Books, records, receipts, ledgers, notes and other records evidencing significant cash expenditures, vehicles and other items of value that are the proceeds and of illegal drug transactions and further evidencing the concealment of the source and ownership of such cash, proceeds and items of value by use of false names, aliases, postal box addresses, addresses of relatives and acquaintances, and other devices;
- (3) Currency, financial instruments, precious metals, jewelry, vehicle registration receipts, property titles and other items of value and/or proceeds or drug transactions and evidence and financial transactions relating to obtaining, transferring, secreting or spending large sums of money made from engaging in illicit controlled substance activities;
- (4) Photographs, including still photos, negatives, video tapes films, undeveloped film and the contents therein, slides, in particular photographs of Co-conspirators, of assets and/or illicit controlled substances;
- (5) Telephone, address books, papers, pagers, caller I.D. devices, and any device with electronic storage memory, computers, and cell phones which reflect name, addresses and/or telephone numbers for their associates in dealing in illicit controlled substances and persons or entities from whom proceeds or drug transactions or other items of value have been obtained and in what manner said proceeds are presently maintained;

Signature: _____

Date: 7/27/20

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Signature of Affiant: Det N. Brothers

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(6) Papers and documents that would establish occupancy, residency, rental and/or ownership of the premises described herein, including, but not limited to utility and telephone bills, canceled envelopes, rental, purchase or lease agreements and keys;

(7) Books, records, receipts, notes, identification documents and other papers indicating that the persons associated with this organization described within the Affidavit are presently using aliases or assumed names other than their names and are representing themselves to others under these assumed or alias names in order to hide and conceal themselves from law enforcement authorities and disguise their current activities;

(8) Firearms and ammunition, including but not limited to handguns, pistols, revolvers, rifles, shotguns, machine-guns, and other weapons used to facilitate drug transactions;

(9) Controlled Substances, in particular Marijuana, a Schedule VI Controlled Substance included in the North Carolina Controlled Substance Act and would be illegal to possess; in violation of North Carolina General Statute 90-95;

(10) Paraphernalia, used to weigh, manufacture, sell, distribute, package, re-package, store, secret, ingest, inhale, inject or otherwise introduce into the body a controlled substance, in particular Marijuana, which would be illegal to possess;

(11) Safes and or security boxes used to keep the items mentioned in numbers 1 thru 10 would constitute evidence of a crime, the identity of a crime, and the identity of a person participating in a crime.

Illegal possession and/or distribution of a controlled substance in violation of N.C.G.S. 90-95 and is located;

[X] In the following premises: (List the address and a description of the address or list attachment on a separate sheet of paper)

DESCRIPTION OF PLACE BEING SEARCHED: 1536 Eastbourne Drive, Wilmington, NC 28411. A two-story structure with tanish-colored siding, a grey shingle roof, a redish-colored front door. There are black numbers 1536 on the front porch column located to the left of the front door.

Signature: W. D. H. H. H.

Date: 7/27/20

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☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: Det. H. B. H.

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Signature: _____

Date: _____

☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: _____

Application for Anticipatory Search Warrant



(AND)

[X] On the following vehicle(s): A silver Ford Taurus (NC Registration #TAW-68346769, Vin #1FAHP25W68G185350), a red Ford F150 (NC Registration #TAW-7984, VIN #1FTRW14879FA93797), a Ford Freestyle (NC Registration #TBX-5640, Vin #1FMZK01155GA75991), a silver Acura MDX (NC Registration #ELW-1421, Vin #2HNYD182X5H532825) and any other vehicle within the curtilage associated with this drug investigation.

(AND)

[X] Any outbuildings or other such appurtenances as may be affixed to the residence to be searched or situated within its curtilage at the time of the execution of this Search Warrant, should it please the court for its issuance.

Signature: _____

Date: 1/21/20

☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge

☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: Det. A. Powell

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The Affiant swears to the following facts to establish probable cause for the issuance of this Search Warrant:

I am a Detective with the New Hanover County Sheriff's Office assigned to the County Vice and Narcotics Unit in Wilmington, North Carolina. I have been a law enforcement officer for over 8 years (July, 2011) and I am currently working in narcotics investigations. In connection with my duties and responsibilities as a law enforcement officer and narcotics investigator, I have dealt with informants, conducted surveillance, arrested suspects, executed search warrants, and seized evidence. I have participated in investigations concerning violations of North Carolina Controlled Substance Act. I have questioned suspects, debriefed informants, and have conferred with other agents and prosecuting attorneys, and as a result have gained considerable experience.

I received a Bachelor's Degree in Criminal Justice from the University of North Carolina at Wilmington. I completed sixteen weeks of Basic Law Enforcement Training at Cape Fear Community College. I have completed over nine hundred hours of Continuing Education Courses through Cape Fear Community College. I have completed training in annual Legal Updates, Police Law Institute, Warrantless Searches, Basic SWAT and Basic Narcotics investigations.

During my 8 years in Law Enforcement, I have previously worked in the Detention Division and was a member of the Special Response Team. I worked in the Patrol division for four years. While working within the patrol division, I was a member of the Mobile Field Force (MFF) and Housing Task Force (HTF), both of which are joint task forces with the New Hanover Sheriff's Office and Wilmington Police Department. My duties with MFF included street level narcotics investigations, violent and gang related crimes throughout the City of Wilmington. During my time with MFF and HTF, I investigated numerous drug and violent crimes that resulted in arrest and convictions of the offenders.

Based upon my training and experience, my participation in drug investigations and my discussions with experienced investigators and prosecuting attorneys, I know that people who use illegal controlled substances share various combinations of common characteristics which are listed as follows:

- (1) That significant drug traffickers, manufacturers, and distributors of illicit controlled substances as described below frequently maintain on hand large amounts of U.S. currency in order to obtain and finance their drug business.
- (2) That it is common for persons involved in the illegal drug trade to maintain books, records, receipts, notes, ledgers, money orders, and other papers relating to the transportation, ordering sale and distribution of controlled substances; furthermore, I know that the aforementioned books, records, receipts, notes, ledger, etc., are generally maintained where the traffickers, manufactures, and distributors have easy and ready access to them.
- (3) That it is common for persons involved in the illegal drug trade to secrete contraband, including controlled substances, proceeds of drug sales and records of drug transactions in secure locations within their residences, businesses and automobiles for ready access and to conceal same from law enforcement authorities.

Signature: _____

Date: _____

☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: _____

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- (4) That it is common for persons involved in the illegal drug trade to conceal in their residences, businesses and automobiles caches of drugs, large amounts of currency, financial instruments, precious metals, jewelry and other items of value and/or proceeds of drug transactions; and evidence of financial transactions relating to obtaining, transferring, secreting or spending of large sums of money made from engaging in drugs trafficking activities.
- (5) That it is common for persons involved in the illegal drug trade to amass proceeds from the sale of drugs that drug traffickers often attempt to legitimize these profits, or otherwise conceal them from discovery from law enforcement officers. I know that, to accomplish these goals, drug traffickers often utilize banks and other financial institutions to conceal the true ownership and illegal source of proceeds.
- (6) That it is common for persons involved in the illegal drug trade to keep and maintain addresses and/or telephone numbers in books, papers, pagers, caller I.D. devices, any device with electronic storage memory to include computers, and cell phones which reflect names, addresses and/or telephone numbers for their associates in the illegal drug trade.
- (7) That it is common for persons involved in the illegal drug trade to take or cause to be taken photographs of them, their associates, their property and their product, that these persons usually maintain these photographs in their possession.
- (8) That it is common for persons involved in the illegal drug trade to usually keep paraphernalia for packaging, cutting, weighing and distributing of drugs; and this paraphernalia include but are not limited to scales, plastic bags, cutting agents, and other devices used for packaging to aid in the concealment of the drug for its distribution.
- (9) That I am aware that the courts have recognized that unexplained wealth is probative evidence of crimes motivated by greed, in particular dealing in illegal controlled substances.
- (10) That it is common for persons involved in the illegal drug trade often keep hand guns, ammunition, and other weapons in their residence, business and automobiles to safeguard supplies of drugs and the fruits of drug dealing.

Signature: _____

[Handwritten Signature]

Date: _____

1/21/20

☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: _____

Det. [Handwritten Signature]

Application for Anticipatory Search Warrant

(11) That it is common for persons involved in the illegal drug trade often operate under assumed names in order to conceal their true identities from law enforcement officers and, in so doing, acquire property and services under their assumed names, personal identification papers, such as driver's license and birth certificates under their assumed or alias names and that they maintain such documents and evidence of their false identities in their residences, business and automobiles, together with evidence of their true identities.

(12) That it is common for persons involved in the illegal drug trade to commonly conceal their activities from members of the public; transact their businesses in a covert manner; and frequently conduct their dealings during the nighttime hours when darkness helps conceal their activities.

(13) That it is common for persons involved in the illegal drug trade to commonly conduct a major amount of their business by utilizing the public telephone systems and normally make frequent calls to direct, supervise and coordinate their activities.

(14) I am aware that it is highly unusual for individuals primarily engaged in the illegal drug trade activities to associate in their business and/or social activities with others not engaged in the same illegal drug trade activities.

(15) That it is common for persons involved in the illegal drug trade to commonly keep their stash of controlled substances and currency proceeds separate and store the same in multiple residences, businesses, motor vehicles or like localities. These residences and businesses often contain safes and or security boxes.

Signature: W. D. H. H. Date: 7/27/20
☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court

Signature of Affiant: Det. A. B. J.

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In addition, your Affiant is aware that:

1. During December 2019, Detective Brothers received information from a Cooperating Defendant (herein referred to as CD) that a subject named "Chandler" is selling large quantities of marijuana in Wilmington, NC. The CD advised Detective Brothers that he/she purchased marijuana from "Chandler" in the past. The CD stated he/she has known "Chandler" to sell marijuana since at least October 2019. The CD stated the "Chandler" utilizes the phone application "SnapChat" to facilitate his marijuana sales.
2. During January 2020, Detective Brothers met with the CD to discuss "Chandler" and his marijuana activities. The CD informed Detective Brothers that "Chandler" was a taller heavy set white male in his mid-20's. Detective Brothers utilized the law enforcement database P2P to research "Chandler" in the Wilmington and New Hanover County areas. During the research, Detective Brothers located a subject by the name Chandler David ANDERSON (6-17-1993) who matched the height, weight and age descriptors provided by the CD. The phone number listed in P2P for Chandler David ANDERSON is (919)619-6595.
3. Detective Brothers then utilized the law enforcement database CJLeads to research Chandler David ANDERSON (6-17-1993). During the research, Detective Brothers located a DMV photograph of Chandler David ANDERSON. Detective Brothers showed the DMV photograph of Chandler David ANDERSON to the CD and the CD positively identified Chandler David ANDERSON as the same subject he/she knew as "Chandler" and had previously purchased marijuana from.

Signature: W. D. Brothers Date: 1/21/20
☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court
Signature of Affiant: Det. J. R. [Signature]
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4. On January 30th, 2020, Detective Brothers was assisting Detective Johnson research an address based on information received from a confidential informant, herein referred to as CI-1. The CI-1 told Detective Johnson the subject he/she knows as "Chandler" who resides at 1536 Eastbourne Drive in Wilmington, NC was selling large quantities of marijuana. Detective Brothers drove to 1536 Eastbourne Drive and observed two vehicles, displaying the registration numbers TAW-6834 and TAW-7984, parked in the driveway. Detective Brothers utilized CJLeads to research both vehicles. The research indicated that TAW-6834 was registered on a Ford Taurus to Chandler David ANDERSON at 4925 Oleander Drive. The research indicated that TAW-7984 was registered on a Ford F150 to Chandler David ANDERSON at 4925 Oleander Drive.
5. During the week of February 3rd, 2020, Detective Brothers utilized the CD make a controlled purchase of marijuana from ANDERSON. Detectives followed ANDERSON from 1536 Eastbourne Drive to the controlled purchase location. Detectives then followed ANDERSON back to 1536 Eastbourne Drive after the controlled purchase was complete.
6. During the week of March 2nd, 2020, Detective Brothers utilized the same CD to make a second controlled purchase of marijuana from ANDERSON. Detectives followed ANDERSON from 1536 Eastbourne Drive to the controlled purchase location.
7. Detective Brothers requests that this anticipatory search warrant for the residence described above be issued with its execution contingent on the following events having occurred. On July 27th, 2020 Detective Brothers will utilize the same CD and conduct a third controlled purchase of marijuana from ANDERSON at a predetermined location. Detective Brothers will provide the CD with a sum of prerecorded currency from the New Hanover County Sheriff's Office special investigative funds to facilitate the marijuana purchase from ANDERSON. After the CD makes the marijuana purchase from ANDERSON, Detective Brothers will execute this anticipatory search warrant for ANDERSON'S residence 1536 Eastbourne Drive. (Prior to the controlled purchase, Detectives will conduct surveillance at 1536 Eastbourne Drive)
8. This warrant may be executed only if the contingencies set out in the affidavit to this warrant are satisfied.

Signature: W. White Date: 7/27/20
☒ Magistrate ☐ District Court Judge ☐ Superior Court Judge
☐ Deputy CSC ☐ Asst CSC ☐ Clerk of Superior Court
Signature of Affiant: Det. N. Ruck

Return of Service

I certify that this Search Warrant was received and executed as follows:

Date issued: ____/____/____ Time issued: _____ [] AM [] PM
Date executed: ____/____/____ Time executed: _____ [] AM [] PM
Date of return: ____/____/____ Time of return: _____ [] AM [] PM

[] I made a search of:

as commanded

[] I seized the items listed on the attached inventory.

[] I did not seize any items.

[] This warrant was not executed within 48 hours of the date of issuance and I hereby return it not executed.

Signature of Officer making return: _____

Department or Agency of officer: _____

This Search Warrant was returned to me on the date and time shown below:

Date: ____/____/____ Time: _____ [] AM [] PM

Signature: _____

[] CSC [] Asst. CSC [] Deputy CSC